

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>PHILLIP MINK</b>	<b>:</b>	<b>CASE NO. 1:21-CV-753</b>
<b>PLAINTIFF,</b>	<b>:</b>	<b>JUDGE HOPKINS</b>
<b>VS.</b>	<b>:</b>	
<b>THE CITY OF SHARONVILLE</b>	<b>:</b>	
<b>DEFENDANT.</b>	<b>:</b>	

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**OFFER OF JUDGMENT UNDER FEDERAL CIVIL PROCEDURE RULE 68**

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Defendant, the City of Sharonville, Ohio, including all its representatives, employees, agents and elected officials, serve upon Plaintiff Phillip Mink and his counsel this Offer of Judgment made under Civil Procedure Rule 68 of the Federal Rules of Civil Procedure.

This offer of judgment is only to be filed upon record with the Court if timely accepted under Civil Procedure Rule 68 by Plaintiff.

Defendant offers to allow Plaintiff and his counsel to take judgment against it in the amount of \$35,000, which accounts for \$30,000 in attorney fees, to be paid on behalf of City of Sharonville, Ohio, to extinguish the liability for all claims or potential claims arising out of this action, including all claims for attorneys' fees and costs accrued as of the date this offer is served upon Plaintiff through his counsel. The City of Sharonville will comply with all relevant federal and statutory guidelines with respect to access to its public meetings. Acceptance of this offer extinguishes all claims against Defendant, City of Sharonville, Ohio, and its representatives, employees, agents and elected officials.

This offer of judgment is made solely for the purposes specified in Civil Rule 68 and is not to be construed as an admission by Defendant that it is liable in this action.

This offer is being served by email on April 12, 2024, as is set forth in the attached Certificate of Service.

To accept this offer of judgment under Civil Procedure Rule 68, Plaintiff and his counsel must serve written notice that the offer is accepted upon Defendant, through its counsel, within fourteen days after the service of the offer.

If Plaintiff and his counsel do not timely accept the offer, the offer, as set forth in Civil Procedure Rule 68, shall be deemed withdrawn and evidence thereof is not admissible except in a proceeding to determine costs.

Respectfully submitted,

/s/ **Lawrence E. Barbieri**  
Lawrence E. Barbieri (0027106)  
Katherine L. Barbieri (0089501)  
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*Attorneys for Defendant*

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served this 25<sup>th</sup> day of April, 2024 upon counsel of record.

/s/ **Lawrence E. Barbieri**  
Lawrence E. Barbieri (0027106)